UNITED NATIONS

General Assembly

FORTY-EIGHTH SESSION

Official Records

THIRD COMMITTEE
44th meeting
held on
Monday, 29 November 1993
at 10 a.m.
New York

SUMMARY RECORD OF THE 44th MEETING

Chairman: Mr. KUKAN (Slovakia)

CONTENTS

AGENDA ITEM 114: HUMAN RIGHTS QUESTIONS (continued)*

(b) HUMAN RIGHTS QUESTIONS, INCLUDING ALTERNATIVE APPROACHES FOR IMPROVING THE EFFECTIVE ENJOYMENT OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS (continued)

(c) HUMAN RIGHTS SITUATIONS AND REPORTS OF SPECIAL RAPPORTEURS AND REPRESENTATIVES (continued)

AGENDA ITEM 115: THE SITUATION OF HUMAN RIGHTS IN ESTONIA AND LATVIA (continued)*

AGENDA ITEM 172: NECESSITY OF ADOPTING EFFECTIVE MEASURES FOR THE PROMOTION AND PROTECTION OF THE RIGHTS OF CHILDREN THROUGHOUT THE WORLD WHO ARE VICTIMS OF ESPECIALLY DIFFICULT CIRCUMSTANCES, INCLUDING ARMED CONFLICTS (continued)*

* Items considered together.

This record is subject to correction. Corrections should be sent under the signature of a member of the delegation concerned *within one week of the date of the publication* to the Chief of the Official Records Editing Section, room DC2-794, 2 United Nations Plaza, and incorporated in a copy of the record.

Corrections will be issued after the end of the session, in a separate corrigendum for each Committee.

Distr. GENERAL
A/C.3/48/SR.44
25 January 1994

ORIGINAL: ENGLISH

93-82723 (E)

The meeting was called to order at 10.15 a.m.

AGENDA ITEM 114: HUMAN RIGHTS QUESTIONS (continued) (A/48/58-S/25024, A/48/63, A/48/68, A/48/74-S/25216, A/48/75-S/25217, A/48/77-S/25231, A/48/88-S/25310, A/48/93, A/48/94, A/48/113-S/25397, A/48/116, 120, 125, 136, 152, 174, A/48/176-S/25834, A/48/177-S/25835, A/48/181, 184, 201, A/48/203-S/25898, A/48/211, A/48/214, A/48/217-S/25986, A/48/222, A/48/261-S/26073, A/48/262, A/48/273, A/48/291-S/26242, A/48/294-S/26247, A/48/302, 307, 330, A/48/355-S/26390, A/48/357, 370, 394, A/48/395-S/26439, A/48/396-S/26440, A/48/401, 446, 484, 496 and 564)

(b) HUMAN RIGHTS QUESTIONS, INCLUDING ALTERNATIVE APPROACHES FOR IMPROVING THE EFFECTIVE ENJOYMENT OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS (continued) (A/48/210-E/1993/89, A/48/283, 340, 342, 425, 509 and Add.1, 510, 575, 576, 589 and 590; A/C.3/48/7 and 8)

(c) HUMAN RIGHTS SITUATIONS AND REPORTS OF SPECIAL RAPPORTEURS AND REPRESENTATIVES (continued) (A/48/92-S/25341, A/48/261, A/48/274-S/26125, A/48/295, 298, 299, A/48/351-S/26359, A/48/387-S/26424, A/48/525, 526 and Add.1, 561, 562, A/48/570-S/26686, A/48/577, 578, 579, 584, 600 and Add.1 and 601; A/C.3/48/9, 13 and 17)

AGENDA ITEM 115: SITUATION OF HUMAN RIGHTS IN ESTONIA AND LATVIA (continued) (A/48/82, 156, 208, 220, 223, 259 and 511; A/C.3/48/16)

AGENDA ITEM 172: NECESSITY OF ADOPTING EFFECTIVE MEASURES FOR THE PROMOTION AND PROTECTION OF THE RIGHTS OF CHILDREN THROUGHOUT THE WORLD WHO ARE VICTIMS OF ESPECIALLY DIFFICULT CIRCUMSTANCES, INCLUDING ARMED CONFLICTS (continued) (A/48/242; A/C.3/48/1/Add.1)

1. Mr. SERGIWA (Libyan Arab Jamahiriya) said that, despite international efforts, the desired aim of ensuring the enjoyment of human rights had not yet been achieved, since flagrant violations continued to occur world wide. Experience had shown that selective policies were frequently used in dealing with human-rights issues; human-rights violations were either denounced or overlooked, for instance, depending on a country's self-interest. As a result, the valuable work of the Commission on Human Rights was seriously impeded. The World Conference on Human Rights held in Vienna in June 1993 had accordingly reaffirmed that human-rights issues should be dealt with objectively according to uniform criteria where double standards had no place.

2. His delegation affirmed the connection between all civil, political, economic, social and cultural rights; human rights encompassed not only freedom from oppression, but also the right to development, a subject which had received thorough coverage at the Vienna Conference. His delegation also affirmed the inseparable connection between collective and individual rights, together with the right of peoples to self-determination, as proclaimed in the Vienna Declaration and Programme of Action (A/CONF.157/23). In addition, he hoped that the recommendations of the Conference would be implemented concerning the more vulnerable members of society, such as women, children, refugees and so forth,

(Mr. Sergiwa, Libyan Arab Jamahiriya)

who were entitled to the equal enjoyment of human rights and should receive greater protection. Meanwhile, the recommendation to establish a High Commissioner for Human Rights required careful consideration; if, instead, the existing human-rights mechanisms were strengthened, any duplication of work resulting from the creation of such a post would be avoided and the necessary additional resources would be saved.

3. His country would continue supporting international efforts aimed at promoting and protecting human rights. It had introduced the relevant internal legislation and had ratified or acceded to various international human-rights instruments. It also made an annual award honouring those who had made contributions or sacrifices to further human rights. It was, however, facing socio-economic difficulties due to the sanctions imposed on it, which endangered innocent lives and affected the right of movement of the Libyan Arab people, thus violating their rights under the United Nations Charter and other international instruments. It did not believe that the United Nations could overlook the adverse effects of those sanctions on the most fundamental human rights. In conclusion, he hoped that human rights and the relevant mechanisms would be strengthened as a result of the recommendations of the Vienna Conference.

4. Mr. SLABY (Czech Republic) said that his delegation agreed on the urgent need to restore the ability of the United Nations to address human-rights issues; it therefore urged the international community to establish the post of High Commissioner for Human Rights and to define its mandate before the end of the session. The Commissioner's task would be to reshape the mechanisms that gathered information on human rights in individual countries, which included monitoring, initiating actions, problem-solving, coordinating resource use, and rallying international response. The post should be designed to focus on assisting individual victims of human-rights violations.

5. Although the United Nations had worked to promote human rights over the course of nearly 50 years, many gross and massive violations of human rights still occurred in various parts of the world: a uniform standard of human rights as protection against the political abuse of power had grown indispensable. The respect for human rights was a necessary prerequisite for democracy; the individual must be seen as the focus of all activities of Governments. As the World Conference on Human Rights had pointed out, there were weak points in the implementation of international human-rights standards. The universal recognition of relevant international treaties was crucial to progress in that sphere. The Czech Republic, for its part, had become a party within weeks after its formation to all seven key human-rights instruments to which the former Czechoslovakia had been a party.

6. Although the notion of checking on the performance of nations through the submission of reports was theoretically useful, in practice it overburdened treaty bodies, which led to delays in the examination of reports and to a decline in effectiveness. Human-rights mechanisms must be strengthened, including the monitoring missions, the special rapporteurs and the international

(Mr. Slaby, Czech Republic)

judicial and quasi-judicial bodies dealing with those issues. The Centre for Human Rights must also be strengthened, and its budget concomitantly increased.

7. The Czech Republic was concerned at the failure, in various regions of the world, to observe human-rights standards. It welcomed Security Council resolutions 808 (1993) and 827 (1993), which provided for the establishment of a tribunal to deal with violations of human rights in the former Yugoslavia. In view of the distressing conditions in Iraq, it supported the intensification of monitoring and fact-finding there and appealed to the Iraqi Government to cooperate with United Nations missions. Given the reports of persecution in Cuba, it was lamentable that that country had been reluctant, despite repeated appeals, to cooperate with the representative of the Commission on Human Rights. Afghanistan should be asked to promptly create conditions amenable to the return of refugees and displaced persons. With regard to the Sudan, the Czech Republic was deeply troubled by the reports of mass executions, arbitrary detention and torture. It was also alarmed by the detention of political representatives and the persecution of "politically uncomfortable" persons in Myanmar, and supported the implementation of General Assembly resolution 47/144 in that regard. It condemned the military coup in Burundi and called for the reassertion of the rule of law in that country without delay. Lastly, it deplored the ouster of President Aristide from Haiti, and called for the implementation of the Governors Island Agreement and the restitution of the presidency.

8. Respect for human rights remained an essential component of economic and social development. When State policy diverged from that fundamental principle, it devolved on the international community to take action, not through ultimatums or sanctions but through dialogue.

9. Mr. WLOSOWICZ (Poland) said that the World Conference on Human Rights had brought unexpectedly positive results and promised genuine progress in the international protection of human rights. One of its major achievements had been the broad involvement of non-governmental organizations, which played a seminal role in the struggle for human rights. Their functions included disseminating knowledge on human rights, drawing attention to human-rights violations, assisting victims and helping in the search for solutions. Their presence, side by side with government delegations, had made the Conference genuinely representative.

10. Poland welcomed the Vienna Declaration and Programme of Action, which, while acknowledging the importance of national and regional particularities and historical, cultural and religious backgrounds, reaffirmed the commitment of all States to promote and protect all human rights and fundamental freedoms. It did not merely perpetuate existing international human-rights machinery, but offered an open-ended, future-oriented framework for United Nations activities in that field. Poland intended to join in sponsoring the draft resolution endorsing the outcome of the World Conference.

11. The international community had an impressive array of institutions to deal with human rights, but no cohesive system of protection. The tasks of the Centre for Human Rights had burgeoned, while its infrastructure remained

(Mr. Wlosowicz, Poland)

insufficiently equipped. In such a context, the Vienna Declaration and Programme of Action had called for the establishment, at the current session of the General Assembly, of a High Commissioner for Human Rights. In the view of Poland, the Office of the High Commissioner could and should become the central instrument for promoting the adaptation of United Nations human-rights machinery, and hoped that a decision could be taken by consensus at the current session.

12. Poland had continually stressed that the adaptation of that machinery should consist of a balanced upgrading of the various organizational components and should include both treaty bodies and Secretariat organs. It favoured the reform of the Commission on Human Rights, and had proposed the establishment of a new General Assembly committee for human rights and humanitarian affairs. The protection of human rights called for transparency in that domain within the structure of the General Assembly.

13. The concern for human rights, as a fundamental expression of the new international morality, must permeate the whole United Nations system. The Secretary-General, with a view to integrating the work of the Organization, had developed the concept of United Nations agendas. With regard to the Agenda for Peace, he had observed that only a new diplomacy for democracy and human rights could contain the tide of ultranationalism and repel fanaticism, intolerance and terrorism. Sharing that view, Poland had proposed, during the World Conference, the preparation of a "United Nations Agenda for Human Rights", containing a set of principles and objectives to govern that new approach to diplomacy.

14. Ms. MAKHEKHE (Lesotho) said that the development of the concept of democracy should be considered in the relevant historical, political and economic contexts; democratic institutions had matured in some parts of the world, while in others they were still evolving, as the political instability in certain parts of Africa demonstrated. Lesotho firmly believed in democracy as a prerequisite for the full enjoyment of all human rights and for sustainable development; its recent elections signalled the end of undemocratic rule and were a step towards establishing a political climate conducive to the enjoyment of those rights. In 1992, it had ratified various international human-rights instruments, which had since been incorporated in the country's new Constitution. A division of human rights had also been established within the Ministry of Justice and Prisons. She then confirmed her country's experience that the provision of electoral assistance to countries in transition was of paramount importance.

15. After voicing concern at the threat posed to Lesotho by the increasing violence in South Africa, she recalled that her country's Prime Minister had recently mooted the idea of devising contingency measures to address the potential mass exodus of refugees with a view to maintaining security and political stability in South Africa's neighbouring States. With that in mind, her delegation had voted in favour of draft resolution A/C.3/48/L.14 on the status of the International Convention on the Suppression and Punishment of the Crime of Apartheid, draft resolution A/C.3/48/L.12 on the use of mercenaries and draft resolution A/C.3/48/L.19 on the right of peoples to self-determination,

(Ms. Makhekhe, Lesotho)

paragraph 15 of which would continue to be relevant until political stability prevailed in South Africa. With reference to draft decision A/C.3/48/L.17, her delegation believed that self-determination through autonomy could provide a solution in some instances but could aggravate the situation in others, as in South Africa.

16. Her delegation recommended that the Committee's working group to discuss the establishment of a High Commissioner for Human Rights should be guided by consensus in all its deliberations. Lastly, in connection with the World Conference on Human Rights, she stressed implementation of the Vienna Declaration, commitment to the United Nations Charter, strengthening of the United Nations human rights machinery and adherence to international human rights instruments.

17. Mr. RAZALI (Malaysia) stated that the focus on the relationship among democracy, development and human rights at the World Conference on Human Rights was of central significance to the developing countries. Since human-rights issues were clearly not free of political considerations, an effort must be made to ensure that the protection of human rights was impartial and non-selective. Unfortunately, the discourse on human rights within the United Nations system had become increasingly politicized and acrimonious. Malaysia lamented that certain Western countries had found pleasure in publicly castigating a number of third-world countries by name, when not long ago they themselves had been colonizers guilty of massive human exploitation. Such was certainly not the way to enhance international cooperation on human rights.

18. The Vienna Declaration and Programme of Action had laid the groundwork for strengthening international cooperation and reforming the United Nations system, and had reaffirmed the interdependence of all human rights. Malaysia, for its part, had always maintained that the campaign for human rights should target not only political repression but also social deprivation and economic exploitation All members of the Non-Aligned Movement deemed that the implementation of the Declaration on the Right to Development would advance the objectives of the human-rights covenants. Malaysia was therefore disappointed that the Secretary-General had failed to issue a progress report on the implementation of that Declaration in 1993, and had instead reissued the 1992 report. Nor had there been mention of the establishment by the Commission on Human Rights of a working group on the right to development. As a member of both the Non-Aligned Movement and the Group of 77, Malaysia called on the Secretary-General to ensure that due importance was accorded to implementing that crucial declaration.

19. Malaysia was troubled by the declared policy of certain developed countries that compliance with international human-rights norms should be a precondition for socio-economic assistance. Since development and human rights were mutually supportive spheres, it was imperative that socio-economic strategies should be implemented in a cooperative and multilateral fashion.

20. The promotion and protection of human rights within the United Nations system currently showed a lopsided focus on civil and political rights. Only in 1993 had the Commission on Human Rights established the working group on the

(Mr. Razali, Malaysia)

right to development, which he had mentioned earlier. While considerable attention was paid to the work of the Human Rights Committee, which dealt with political and civil rights, the Committee on Economic, Social and Cultural Rights was almost defunct.

21. There was clear evidence in Western society that civil and political liberties amounted to very little in the absence of socio-economic development programmes. Certain groups of countries seemed to fear, however, that emphasizing collective rights would place individual prerogatives at risk. But individual rights must not be seen in isolation from those of the community: the individualism guaranteed by society was predicated on the assurance that it would not undermine that society. While Malaysia could not condone the non-democratic Governments that failed to observe the principles of human rights, it opposed the unbridled individualism that in many Western countries had corroded society itself.

22. The Secretary-General's report (A/48/340) fomented the idea that national institutions for the protection of human rights should supplant the existing legal structures of developing countries; a notion that arose from the misconception that those structures were inadequate to that task. In the view of Malaysia, democracy must evolve in accordance with the particular historical circumstances of a society and could not be imposed from outside; nor could a single model work in all societies. And yet, although the principal responsibility for the protection of human rights was the domain of national Governments and local institutions, massive violations must of course be the concern of the international community.

23. Malaysia agreed with the Secretary-General's report (A/48/425) that any attempt to interfere in the free development of the electoral process impeded the exercise of sovereignty. However, that report merely reiterated General Assembly resolution 47/130 and summarized the action taken by the Commission on Human Rights. There was a need to take a stand against State institutions that thwarted the clear expression of the people in the electoral process. It was, however, committed to the provisions of the Vienna Declaration and Plan of Action that dealt with the rights of minorities, and welcomed the Secretary-General's support for the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities. As a multi-ethnic, multilingual and multireligious country familiar with ethnic discord, it advocated voluntary restraint in the pursuit of political freedom, which, in its view, only served to promote ethnic intolerance. The crisis in Bosnia and Herzegovina was a prime example of the international community's failure to understand the precarious balance between the promotion of minority rights and the promotion of racial intolerance and radical nationalism. In that regard, Malaysia welcomed the Secretary-General's report in document A/48/509.

24. Lastly, he said that follow-up to the World Conference on Human Rights should indeed involve rationalizing and coordinating the many components of the United Nations human-rights machinery. Malaysia welcomed the Secretary-General's efforts to expand the five main areas of work conducted by the Centre for Human Rights, and his decision to appoint an Assistant Secretary-General as

(Mr. Razali, Malaysia)

head of that body. It commended the Secretary-General for his report in document A/48/589, which highlighted the need to vastly increase budget and staff. It also welcomed the establishment by the Third Committee of a working group to consider the establishment of a High Commissioner for Human Rights. The Non-Aligned Movement deemed that, if it was to be effective, that post must be universally accepted; the Working Group must therefore proceed on a consensual basis.

25. Mr. LAACK (Marshall Islands) said that the spirit of optimism generated by the Vienna Conference on Human Rights was restrained by the grave violations of the most basic rights and freedoms across the globe. The Declaration and Programme of Action adopted at that Conference represented a sound basis for action by reaffirming the universality and indivisibility of human rights, defining the rights of vulnerable groups and addressing specific forms of violations. The essential involvement of non-governmental organizations in protecting and promoting human rights was also acknowledged.

26. His delegation shared concern that only 1 per cent of the United Nations budget was allocated to human rights activities, which required strengthening. The top priority, however, was the sensitive issue of establishing a High Commissioner for Human Rights, action which his delegation supported. He therefore applauded the Committee's decision to create a working group to discuss the matter, which had resulted in a constructive exchange of views. A High Commissioner should coordinate the various human-rights mechanisms within the United Nations with a view to enhancing the latter's role in promoting and protecting human rights. The provision of advisory services to interested Governments would be an essential element of that role, particularly in the case of small countries which lacked the resources needed to promote those rights.

27. In the context of its current review of international human rights instruments with a view to ensuring their implementation without reservation, his country had recently ratified the Convention on the Rights of the Child. Furthermore, given the grave violations occurring worldwide, it welcomed proposals for the creation of an international enforcement regime; the establishment of the International Tribunal under Security Council resolution 827 (1993) was a commendable first step.

28. His Government hoped that the momentum of the World Conference on Human Rights would be maintained, thereby strengthening international human-rights machinery and creating greater respect for human rights by all Governments, a goal which would be assisted by the establishment of a High Commissioner for Human Rights. It looked forward to cooperating in international forums with a view to furthering human rights in the Marshall Islands and throughout the world.

29. Mr. HALINEN (Finland) said that implementation of the Vienna Declaration required action by all Governments and organizations, including the United Nations. Finland, which was committed to undertaking its share of that work, fully subscribed to the view that human rights were universal, indivisible and interdependent. The integration of human rights into the mainstream of United

(Mr. Halinen, Finland)

Nations system-wide activities was a primary goal, requiring efforts to be focused on strengthening human-rights mechanisms and ensuring that their resources were adequately increased. With that in mind, his delegation supported the early appointment of a High Commissioner for Human Rights, who should also be empowered to prevent or respond to human-rights violations. Referring to the disparity between the growing activities of the Centre for Human Rights and its resources, he said it was necessary to identify funds which could be reallocated in that direction. Economy measures concerning conference services in Geneva were, however, unacceptable. The Committee should cooperate closely with the Fifth Committee with a view to implementing the recommendations of the World Conference in the biennium 1994-1995.

30. In contrast with the past, the integration of human rights and democracy in development programmes was now a guiding principle in the case of both international organizations and national Governments. Similarly, in addition to relying on political indicators, preventive diplomacy should target economic and social conditions. Human rights, together with humanitarian assistance and election monitoring, were an integral part of maintaining peace and security. A comprehensive and flexible approach was therefore required in view of the inextricable link between all such factors, which called for a joint strategy for human rights, development, democracy and security.

31. After listing examples of the massive and systematic human-rights violations occurring in the former Yugoslavia, he said he welcomed the establishment of the International Tribunal under Security Council resolution 827 (1993). Respect for humanitarian law by all parties was essential, irrespective of the time taken to find a political solution. His Government therefore stressed the need to respect minimum standards and to strengthen the rules of humanitarian law applicable to internal conflicts. Referring to South Africa, he noted that the ongoing violence was the most urgent remaining problem following the major steps taken towards democracy and the elimination of apartheid, and said that all parties should commit themselves to peaceful means in the process towards a new democratic South Africa.

32. The international community must be prepared to act against the new forms of racism and intolerance occurring in the world, including Europe. Intolerance was directly contributing to the devastating conflicts in many countries, such as the Sudan. Preventive action must be taken to promote tolerance in all societies.

33. The abolition of the death penalty was essential for the advancement of human dignity world wide. It was unfortunate that only a few countries had acceded to the Second Optional Protocol to the International Covenant on Civil and Political Rights. Finland therefore urged all Governments to abolish the death penalty.

34. Extrajudicial executions, disappearances and torture constituted serious human rights violations. Finland was concerned about detention for political reasons and lack of due legal process. In Iraq, the persecution of the marsh Arabs and the oppression of the Kurds had not ceased. In Haiti, disappearances

(Mr. Halinen, Finland)

and killings by the security forces had increased. In East Timor, arbitrary detention and harsh sentences for dissidents continued unabated. In Myanmar, ethnic and religious minorities were still being persecuted. Special measures in the administration of justice were required world wide. An independent judiciary was essential in order to improve the human rights situation in individual countries. In that regard, he hoped that the Government of China would continue its efforts to develop a legal system based on the rule of law.

35. Some Governments restricted and even denied freedom of opinion and expression. The report of the Special Rapporteur on the situation of human rights in the Sudan (A/48/601) indicated that several persons had been subjected to reprisals after they had communicated information to him. The Government of the Islamic Republic of Iran was continuing its policy of severely restricting the activities of journalists. In addition, Finland disapproved of the death decree against the British author, Mr. Salman Rushdie.

36. The equal status and human rights of women should be integrated into all United Nations activities. Coordination between the bodies dealing with those issues should be further enhanced. Finland welcomed the forward-looking recommendations put forward in that regard by the Vienna World Conference. His Government supported all measures to ensure more effective protection and promotion of the rights of children and improve their living conditions. Protection of children in armed conflicts, refugee children, street children and economically and sexually exploited children must be further strengthened at the national and international level. The human rights of children should be regularly monitored by all relevant United Nations bodies.

37. Conflicts stemming from differences in ethnicity, race, religion or language constituted one of the most widespread causes of human rights violations. The implementation of the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities required effective coordination among regional organizations and Member States. Non-discrimination and special measures to ensure equal enjoyment of all human rights were a basis for protecting minority rights. The human rights of indigenous peoples continued to be violated in many parts of the world. An international decade of the world's indigenous people would help to further the objectives of the International Year and raise awareness of the special situation of indigenous peoples and their needs.

38. Ms. RAMOS-SHAHANI (Philippines) said that there were millions of children all over the world who desperately needed special and immediate assistance, including orphans, refugee children, disabled children, the children of migrant workers, children subjected to sexual abuse and other forms of exploitation, juvenile delinquents, drug abusers and those exposed to diseases like AIDS. Immediate action was needed to save those children.

39. The Philippine Government was firmly committed to both the Convention on the Rights of the Child and the corresponding Declaration. In 1992, her country's plan of action for children had been adopted on the basis of the Convention in order to provide children with a standard of living adequate for

(Ms. Ramos-Shahani, Philippines)

their total development, protect them from abuse, exploitation, armed conflict and other forms of violence and enable them to participate in community life and nation-building. In undertaking measures to implement the Convention, her Government had submitted its initial report to the Committee on the Rights of the Child. The report contained information on measures to protect children's rights and on progress achieved, difficulties encountered and future goals. Her country had also recently taken steps to improve the health of mothers and children through institutionalized breast-feeding and measures to prevent thyroid disease in children. Those two actions demonstrated her Government's commitment to promote the development of Philippine children.

40. In order to deal with the problems of children in areas of armed conflict, the Philippines was making every effort to promote peace among rebel elements in the country through negotiations so that children would no longer be subjected to violence, psychological stress, physical injury and death. With regard to health care, the Philippine Ministry of Health had embarked on a nationwide immunization programme to prevent diphtheria and tetanus, which were very common among rural children. Her country's family-planning programme included health and safety measures for mothers and children during the prenatal and postnatal periods. Moreover, her Government was currently implementing a plan to set up primary schools in the smallest communities in order to provide all Philippine children with free primary education.

41. Lastly, she paid tribute to UNICEF's efforts to protect the rights of children in the East Asian region and throughout the world. UNICEF Fund had taken innovative measures to ensure the implementation of the Convention on the Rights of the Child. Her Government would be happy to sponsor the draft resolution to be put forward on agenda item 172.

42. Mr. MAYCOCK (Barbados), speaking on behalf of the 12 States members of the Caribbean Community (CARICOM), said that the Vienna Declaration and Plan of Action represented a great leap forward in the field of human rights, forging a new vision for global action into the next century. The reaffirmation of the right to development as a fundamental human right was one of the most defining pronouncements of the Vienna Conference and should reinforce the view that the objectives of the Charter could be achieved only if all human rights were promoted as a whole. He noted with satisfaction that the working group on the right to development set up by the Commission on Human Rights had begun its work, and he hoped that it would make recommendations aimed at eliminating the obstacles to development and strengthening the linkage between human rights and economic issues.

43. The relationship between democracy, development and human rights had been one of the most crucial issues on the agenda of the Vienna Conference. The tragic situation in Haiti painfully demonstrated the consequences for the enjoyment of human rights when democracy was breached. The Caribbean Community viewed with serious concern the severity of the human rights abuses in Haiti and the impunity with which they were perpetrated, and would continue to play an active role to find a solution. The CARICOM States strongly supported the mediation efforts of the United Nations and the Organization of American States

(Mr. Maycock, Barbados)

and called on the parties in Haiti to honour the Governors Island Agreement and immediately restore constitutional government in Haiti.

44. As parties to the Convention on the Elimination of All Forms of Discrimination against Women, the CARICOM States fully supported the recommendation of the Vienna Declaration and Programme of Action with respect to the human rights of women and of the girl-child; the enactment of legislation by most CARICOM States underscored both their deep concern for the incidence of gender-based violence and their commitment to eradicate it. They also firmly supported the call for universal ratification of the Convention on the Rights of the Child, to which they were parties, by 1995 and endorsed the adoption of measures for the promotion and protection of the rights of children throughout the world who were victims of especially difficult circumstances, including armed conflicts.

45. CARICOM States supported the recommendation that the General Assembly should proclaim a decade for the world's indigenous peoples. They also considered it essential to strengthen United Nations machinery in the field of human rights at both the regional and international levels. Regional human rights institutions could also make a significant contribution. The Centre for Human Rights provided valuable human rights services which greatly benefited developing countries. In that connection, CARICOM firmly supported the recommendation on human rights education, particularly the call to consider proclaiming a United Nations decade for human rights education.

46. The CARICOM States did not condone flagrant abuses of human rights by any Government. The international community should, however, seek to build on the consensus achieved at Vienna and cease the practice of finger-pointing, which could imperil that consensus. The predictable cant on the situation of human rights in specific countries had become a counter-productive ritual which tended to encourage intransigence. The CARICOM States could not embrace the notion that, of all the States represented in the United Nations, human rights abuses occurred only in those eight countries which had been placed under special scrutiny. That selective application of standards, using human rights as a veil for promoting political agendas, must be ended.

47. The CARICOM States agreed, however, that respect for all human rights throughout the world was not only an important part of the dynamic process of building peace but was also the legitimate concern of the international community.

48. Mr. CHEN Jian (China), emphasizing the importance of the Vienna Conference, said that equal weight should be attached to the various recommendations of the Declaration and Programme of Action so as to ensure their comprehensive implementation and avoid putting too much emphasis on some areas at the expense of others. In that regard, the cooperation of all Member States, based on equality and mutual respect, was essential. Moreover, the international community should continue its efforts to end the large-scale violation of human rights resulting from colonialism, racism and foreign aggression and occupation.

(Mr. Chen Jian, China)

49. The Chinese Government welcomed the adoption by the Commission on Human Rights of resolutions on the establishment of a working group on the right to development and on a special rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance. It also welcomed the efforts to resolve the Middle East crisis, as evidenced by the recent signing between the Palestine Liberation Organization and Israel of the Declaration of Principles on Interim Self-Government Arrangements, and the decision to hold democratic elections in South Africa in April 1994.

50. In his delegation's view, racial discrimination, foreign domination and aggression remained the main cause of large-scale human rights violations. To make matters worse, the pursuit of double standards still prevailed. But each country had its own political, economic and historical characteristics and each was at a different stage of development with special priorities on various issues including human rights. Therefore, respect for the different understanding of human rights held by different countries and the various measures they adopted to protect human rights must constitute the cornerstone for international cooperation in human rights.

51. It was neither realistic nor feasible for the human rights standards of certain countries to be regarded as perfect, nor was it acceptable for the values and political systems of certain countries to be imposed on others as a universal model. It would be even more inappropriate if such standards were used as a conditionality for international economic assistance and cooperation. Moreover, it was absolutely unacceptable for United Nations agencies to carry out political attacks against and interfere in the internal affairs of countries in the name of protecting human rights. Human rights issues should not be used as a tool to extend a country's sphere of influence.

52. As China had always attached great importance to the question of human rights, it had acceded to eight international human rights conventions and strictly fulfilled its obligations. As a result of the tremendous success in its policy of reform and opening up to the outside world in the past 15 years, China had enjoyed social stability, economic growth and steady improvement of its people's living standards as well as an ever-enhanced level of human rights protection. Only those who acted from the ideological point of view would choose not to notice China's achievements.

53. China was ready to work with other members of the international community on the basis of mutual understanding and respect and continue to make unremitting efforts to strengthen international cooperation in the field of human rights.

54. Mr. MALGINOV (Russian Federation) stressed the need for further collective efforts by States to affirm the universal principles of human rights and devise measures for further progress in guaranteeing those rights. In recent years there had been an increasing number of conflicts based on ethnic, national and religious differences; and aggressive nationalism and xenophobia had spread. Effective and acceptable measures had not yet been developed to avert the spread

(Mr. Malginov, Russian Federation)

of conflicts. Existing mechanisms and procedures were insufficient in preventing numerous human rights violations.

55. The main area for developing cooperation among States in that field would continue to be increased monitoring by the international community. There was a need not only to take note of human rights violations but also to analyse in greater depth their basic causes and draw up realistic recommendations to deal with them. The monitoring of compliance with decisions taken must be further strengthened and thorough consideration should be given to measures concerning countries that ignored world opinion. Furthermore, the time had come to address the question of the responsibility of national leaders who were guilty of blatant human rights violations. In that connection, his delegation was following with interest the discussion taking place within the Subcommission on Prevention of Discrimination and Protection of Minorities. Greater use could be made of special rapporteurs and representatives and more could be done to strengthen the mediation functions of the Organization with regard to human rights monitoring.

56. Violations of the rights of national minorities were one of the greatest problems in the contemporary world. The Declaration on the Rights of Minorities had defined the problem and laid down basic guidelines. At the current stage, there was a need to consider ways to implement the principles set forth in the Declaration. The experience of the Conference on Security and Cooperation in Europe would be useful in that connection.

57. His delegation attached importance to United Nations activities in disseminating information on human rights. Enhancing the effectiveness of that work would be particularly useful for countries which were establishing a civil society and a state based on the rule of law. It was extremely important to reach the broadest sectors of the population and foster a culture of human rights in those countries.

58. Establishment of a High Commissioner for Human Rights was one of the most important issues before the Committee. His delegation believed that a High Commissioner could cement the entire human rights structure and improve its coordination. He hoped that a decision could be taken by consensus on that question at the current session.

59. Preparations in the Russian Federation for elections to the Federal Assembly and voting on the draft constitution were in their final stages. That would mark the first free elections held on a democratic and multiparty basis in his country. The new parliament would be faced with the complicated tasks of continuing the process of democratization and bringing human rights legislation into accordance with international norms. It was necessary to carry out judicial reform, improve the human rights situation in the army, prevent abuses by law-enforcement bodies, upgrade conditions in the penal system, establish effective guarantees for democratic freedoms, and tackle the problem of refugees. Russia would be grateful for assistance and support by the international community in tackling those problems.

(Mr. Malginov, Russian Federation)

60. Together with the other members of the Commonwealth of Independent States, his country was endeavouring to ensure respect for human rights in the States of the former Soviet Union. Instability and armed conflict in a number of regions was currently making that task particularly difficult, if not impossible. Nevertheless, the Commonwealth had adopted a declaration on human rights and established a commission on human rights, and was drawing up a convention in that field. Regrettably, a number of countries had deliberately abandoned democratic standards. Members of the opposition were being persecuted and there was discrimination against the Russian-speaking population. Those questions were being discussed with the States concerned and it was hoped that the international community would give greater attention to them. Russia's active position with regard to human rights questions reflected its realization of the responsibility of all States to ensure respect for the rights of the individual.

61. Accordingly, he supported those delegations that had condemned the policies and methods of dictatorial and authoritarian regimes, including unlawful execution, torture, arbitrary detention, repression of political opponents, discrimination against national and religious minorities and violence against women and children. The Organization must not avoid discussing those complex issues. The greatest achievement of the Vienna Conference was the recognition of the universality of human rights. The agreement reached at Vienna must be implemented through specific decisions and actions.

62. Mr. MUSUKA (Zambia) said that, while the great majority of nations had become parties to the Convention on the Rights of the Child, an examination by UNICEF of the plight of children in the world made it abundantly clear that very little had been accomplished to improve the situation of children world wide. There were many major obstacles to the full realization of children's rights. For instance, African children suffered from war, hunger, disease, including AIDS, and natural disasters. Juvenile delinquency, including drug-dependency and the involvement in organized crime, was on the increase. While such behaviour could sometimes be attributed to modern development, which caused conflict and a crisis of adjustment, it in no way reflected the values of the traditionally caring African community.

63. Africa's children who were victims of especially difficult circumstances represented one of the continent's most urgent problems. However, there seemed to be emerging a global awareness of children's problems, as reflected in United Nations declarations and conventions, including the Convention on the Rights of the Child. Children were now being put at the top of the social and economic agenda after years of neglect. Thus, at the 1990 World Summit for Children, world leaders had resolved to adopt a new ethic of development based on the principle of "first call for children", and had agreed on a fundamental set of goals which were spelled out in the Plan of Action for Implementing the World Declaration on the Survival, Protection and Development of Children in the 1990s. Those goals had also been reflected in Agenda 21, adopted by the 1992 United Nations Conference on Environment and Development.

(Mr. Musuka, Zambia)

64. Concerning the health of children, in 1990 the world had met its goal of 80-per-cent immunization coverage in the developing countries. The death rates of children had been more than halved; malnutrition rates had been reduced by about 30 per cent, life expectancy had increased by about a third and the proportion of children enrolled in primary school had risen to more than three quarters.

65. Zambia accordingly welcomed the call made by the Vienna Conference for universal ratification of the Convention on the Rights of the Child by 1995 and urged Governments to adopt the means for its implementation.

The meeting rose at 1.05 p.m.